

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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KERKER, PAMELA

Plaintiff

07 Civ. 6283 (CLB)

-against-

NATIONAL RAILROAD PASSENGER CORPORATION  
Defendant

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Bricant, J.

To the Clerk of Court:

1. This case is determined to be eligible for mediation as to all issues.
2. The entire mediation process is confidential. The parties and the Mediator may not disclose information regarding the pre-mediation negotiations, to the Court or to third persons unless all parties agree. The Court. However, persons authorized by the mediation program may have access to information about the parties, and counsel and mediators may be persons authorized by the Court to administer or evaluate the mediation program.
3. The mediation process shall be conducted in accordance with the Federal Rules of Evidence and state rules of evidence. A consultant, attorney, or expert in any field may be present during the mediation process between persons not parties to the case.
4. Entry of this case into the Court's mediation program shall not be deemed to change any existing order or otherwise governing the completion of discovery, motion practice or trial of the case.

-----X  
ORDER DECLARING WHITE PLAINS  
CASE ELIGIBLE FOR MEDIATION

R.P.

-----X

for mediation as to all issues.

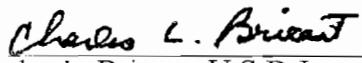
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The mediation process shall be conducted in accordance with the Federal Rules of Evidence and state rules of evidence. A consultant, attorney, or expert in any field may be present during the mediation process between persons not parties to the case.

Entry of this case into the Court's mediation program shall not be deemed to change any existing order or otherwise governing the completion of discovery, motion practice or trial of the case.

SO ORDERED.

Dated: White Plains, New York  
October 16, 2007

  
Charles L. Bricant  
U.S.D.J.